

REMARKS

Applicant respectfully requests further examination and reconsideration in view of the above amendments. Claims 1-90 were previously pending. Of the above Claims, Claims 33-42 were withdrawn from further consideration by the examiner, and affirmed by the Applicants, as being to a non-elected invention. In the Office Action mailed August 11, 2004, Claims 1-6, 8-16, 18-26, 28-32, 56-62 and 64-68 have been allowed; Claims 7, 17, 27, 43, 45-52, 63, 69, 72-76, 80 and 83-87 have been rejected; and Claims 44, 53-55, 70, 71, 77-79, 81-82 and 88-90 have been objected to. By the above amendments, Claims 1, 5, 7, 9, 11, 17, 21, 27, 31, 43, 44, 48, 50, 52, 54, 56, 61, 63, 65, 67, 69, 74, 78, 80, 85 and 89 have been amended, and Claims 53, 77 and 82 have been canceled. Accordingly, Claims 1-32, 43-52, 54-76, 78-81 and 83-90 are currently pending. Favorable reconsideration is respectfully requested in view of the remarks below.

Specification

Within the Office Action, the disclosure is objected by the Examiner because "the status of the U.S. patent applications recited in the specification should be updated." The Applicants' submitted a Preliminary Amendment on November 28, 2003, updating the status of the U.S. patent applications recited in the specification. Therefore, this objection is now moot.

Claims Objections

Within the Office Action, Claims 1, 5, 9, 11, 13, 31, 43-44, 48, 52, 54, 56, 61, 65, 67, 78, and 89 were objected to because of informalities. By the above amendments, this objection is now moot.

Claims Rejections Under 35 U.S.C. § 112

Within the Office Action, Claims 7, 17, 27, 50, 63, 74, and 85 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, it is stated that the limitation "wherein the at least one node is coupled to each of the at least one hub" is vague and indefinite because "it cannot be determined why 'the at least one node' would be coupled to each of the at least one hub with a LAN connection while it is already coupled to each of the hub a WAN connection . . . Fig. 1 shows that each node is connected to hub via either a LAN or WAN, but not both."

Claims 7, 17, 27, 50, 63, 74, and 85 have been amended to include the limitation that a node is coupled to a hub via a LAN, but not both a LAN and WAN. Accordingly, Claims 7, 17, 27, 50, 63, 74, and 85 are in a condition for allowance

Rejections Under 35 U.S.C. § 103(a)

Claims 43, 45-49, 51-52, 69, 72-73, 75-76, 80, 83-84, and 86-87 are rejected under 35 U.S.C. 103(a) as being unpatentable over Donovan (USPN 6,434,143 B1). Within the Office Action, Claims 53, 77 and 82 have been objected to as being dependent upon a rejected base claim. It is stated within the Office Action that Claims 53, 77 and 82 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. By the above amendments, the independent Claims 43, 69 and 80 have been amended to include the limitations of the objected to Claims 53, 77 and 82 and are therefore in allowable form.

Claims 44-49, 51-52 and 54-55 are dependent upon the independent Claim 43. Claim 53 has been canceled. As discussed above, Claim 43 is allowable. Accordingly, Claims 44-49, 51-52 and 54-55 are allowable as being dependent upon an allowable base claim.

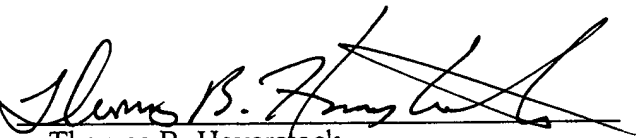
Claims 70-73, 75-76 and 78-79 are dependent upon the independent Claim 69. Claim 77 has been canceled. As discussed above, Claim 69 is allowable. Accordingly, Claims 70-73, 75-76 and 78-79 are allowable as being dependent upon an allowable base claim.

Claims 81, 83-84 and 86-90 are dependent upon the independent Claim 80. Claim 82 has been canceled. As discussed above, Claim 80 is allowable. Accordingly, Claims 81, 83-84 and 86-90 are allowable as being dependent upon an allowable base claim.

No new subject matter has been added by way of the above amendments. For the reasons given above, Applicant respectfully submits that the Claims 1-32, 43-52, 54-76, 78-81 and 83-90 are now in a condition for allowance, and allowance at an early date would be appreciated. Should the Examiner have any questions or comments, they are encouraged to call the undersigned at (408) 530-9700 to discuss the same so that any outstanding issues can be expeditiously resolved.

Respectfully submitted,
HAVERSTOCK & OWENS LLP

Dated: 11-10-04

By: 
Thomas B. Haverstock
Reg. No. 32,571
Attorneys for Applicant(s)

CERTIFICATE OF MAILING (37 CFR§ 1.8(a))

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450

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